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Sequence Number: \_\_\_\_\_

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File Date: \_\_\_\_\_

# Notice of Rulemaking Hearing

*Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.*

<b>Agency/Board/Commission:</b>	Tennessee Department of Human Services
<b>Division:</b>	Family Assistance
<b>Contact Person:</b>	Kim Summers
<b>Address:</b>	Office of General Counsel Citizens Plaza Building, 15 <sup>th</sup> Floor 400 Deaderick Street Nashville, Tennessee 37243-1403
<b>Phone:</b>	615-313-4731
<b>Email:</b>	<a href="mailto:Kim.Summers@tn.gov">Kim.Summers@tn.gov</a>

*Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:*

<b>ADA Contact:</b>	Jeffrey Blackshear
<b>Address:</b>	Office of General Counsel Citizens Plaza Building, 15 <sup>th</sup> Floor 400 Deaderick Street Nashville, Tennessee 37243-1403
<b>Phone:</b>	615-313-4731
<b>Email:</b>	<a href="mailto:Jeffrey.Blackshear@tn.gov">Jeffrey.Blackshear@tn.gov</a>

**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	Citizens Plaza Building 2 <sup>nd</sup> Floor Conference Room 1
Address 2:	400 Deaderick Street
City:	Nashville
Zip:	37243-1403
Hearing Date :	03/29/11
Hearing Time:	6:30 PM <input checked="" type="checkbox"/> CST <input type="checkbox"/> EST

Address 1:	Conference Room A, 7th Floor
Address 2:	531 Henley Street
City:	Knoxville
Zip:	37902
Hearing Date :	03/29/11
Hearing Time:	6:30 PM <input type="checkbox"/> CST <input checked="" type="checkbox"/> EST

Address 1:	2 <sup>nd</sup> Floor Auditorium Donnelly J. Hill State Office Building
Address 2:	170 North Main Street

City:	Memphis		
Zip:	38103		
Hearing Date :	03/30/11		
Hearing Time:	6:30 PM	<input checked="" type="checkbox"/> CST <input type="checkbox"/> EST	

**Additional Hearing Information:**

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**Revision Type (check all that apply):**

- ☒ Amendment  
☒ New  
☐ Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1240-01-13	Case Record Management
Rule Number	Rule Title
1240-01-13-.02	Other Requests for Information

Chapter Number	Chapter Title
1240-01-11	Conflict of Interest
Rule Number	Rule Title
1240-01-11-.01	Conflict of Interest

Chapter 1240-01-13  
Case Record Management

Amendments

Rule 1240-01-13-.02, Other Requests for Information, is amended by deleting paragraph (3) in its entirety.

Authority: T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-3-119, 71-3-120, and 71-5-314; 45 C.F.R. 205.50.

Chapter 1240-01-11  
Conflict of Interest

New Rule

Table of Contents

1240-01-11-.01 Conflict of Interest

1240-01-11-.01 Conflict of Interest.

- (1) To avoid a conflict of interest, or any appearance of impropriety, and insure privacy, special handling shall be given to applications and case maintenance actions on cases that include assistance applied for and/or received by any employee of the Tennessee Department of Human Services.
- (2) The special handling required by paragraph (1) of this rule shall also apply to the following individuals associated with an employee of the Tennessee Department of Human Services:
  - (a) Relatives, including the following individuals –
    1. Parents,
    2. Grandparents,
    3. Siblings,
    4. Aunts / Uncles,
    5. Cousins, and
    6. Natural and adopted children and children for whom guardianship has been established;
  - (b) Unrelated members of the employee's household; and
  - (c) Individuals with whom a DHS employee has a close personal relationship.
- (3) Applications, recertifications, or case reviews for any Family Assistance Program (including SNAP, Families First, TennCare / Medicaid, and Child Care Certificate) from any individual specified in paragraph (1) or (2) above shall be referred to the Field Management Director 1 or Field Management Director 2, as appropriate, and shall be processed by a first-line supervisor or other person designated by the Field Management Director 1 or Field Management Director 2.
- (4) Confidential Caseload.
  - (a) The electronic record for any individual specified in paragraph (1) or (2) above must be placed in a confidential caseload in the Family Assistance eligibility system.

- (b) Access to the paper applications and other documents associated with cases in the confidential caseload shall be limited to the management staff responsible for the county as well as the designated clerical personnel.

Authority: T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-3-119, 71-3-120, and 71-5-314; 45 C.F.R. 205.50.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of Officer: Kim Summers

Title of Officer: Deputy General Counsel

Subscribed and sworn to before me on: \_\_\_\_\_

Notary Public Signature: \_\_\_\_\_

My commission expires on: \_\_\_\_\_

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Filed with the Department of State on: \_\_\_\_\_

\_\_\_\_\_  
Tre Hargett  
Secretary of State